

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 22906 of 2007(B)

PETITIONERS:

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1. P.T.JAYESH, S/O.PERACHAKUTTY,
MELEKOLLOLATH, P.O.MAYANAD,
CALICUT-6.
 2. V.SADANANDAN, S/O.CHOYI, REVATHI,
KIZHAKKETHODU, KOZHIKODE.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENT:

THE SECRETARY, RTA,
(TAXATION OFFICER),
REGIONAL TRANSPORT OFFICE,
KOZHIKODE.

BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 22906 OF 2007 - B

Dated this the 9th day of August, 2007

J U D G M E N T

The petitioners are defaulters in payment of motor vehicle tax in respect of vehicle No.KL.11/P 9440. The petitioners seek a direction to allow them to operate the vehicle by endorsing the tax liability in the registration certificate with opportunity to pay the amount in instalments. Regarding the claim for permission to operate the vehicle by endorsing the tax liability in the registration certificate, the petitioners could not bring to my attention any provision of law which enables the petitioners to ply the vehicle by endorsing the tax liability in the registration certificate. As such, that prayer cannot be allowed. The petitioners seek permission to pay off the arrears in instalments.

2. I have heard the learned Government Pleader also.

3. Taking a lenient view, I direct the respondents to permit the petitioners to pay off the

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arrears of vehicle tax in five equal monthly instalments starting from 1.9.2007. Every subsequent instalment shall be paid on the first working day of every succeeding month. If the petitioners pay the instalment amounts in time without default, coercive proceedings shall be kept in abeyance. However, if the petitioners fail to pay any one instalment, the respondents would be free to take appropriate action to realise the motor vehicle tax by initiating coercive proceedings.

The writ petition is disposed of with the above direction.

**S. SIRI JAGAN,
Judge**

Mbs/

WP(C) NO. 22906 of 2007

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S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

WP(C) NO. 22906 of 2007

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DATED:01-06-2007

WP(C) NO. 22906 of 2007

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